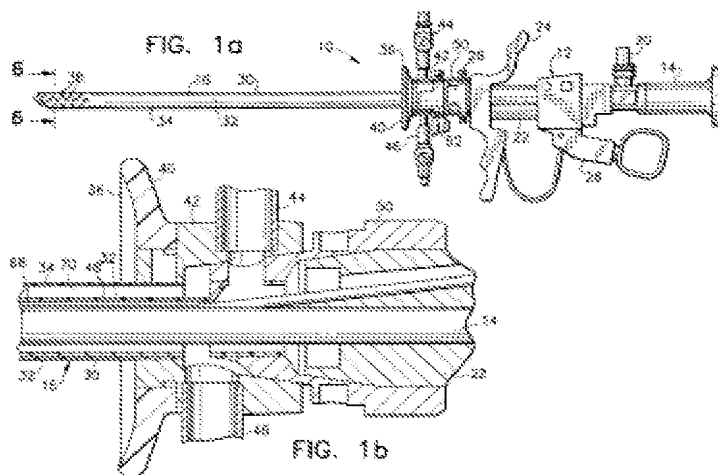


## **REMARKS**

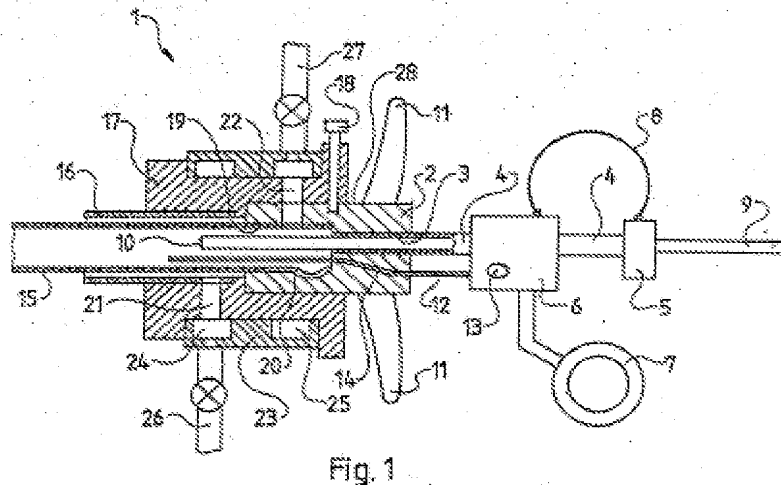
Applicant would like to thank the Examiner for the careful consideration given the present application and for discussing this matter on the telephone. The application has been carefully reviewed in light of the Office action and telephone conversations, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Consideration of new claims 8-14 is respectfully requested. Independent claim 8 includes a feature of finger grips affixed directly to and extending from the main body. In U.S. 5,807,240 to Muller (of which Figs. 1a and 1b have been reproduced below), the Examiner has referred to inner sheath frame 50 as the equivalent to Applicant's main body. As the grip handle 24 in Muller '240 (and likewise Muller 5,486,155) does not extend from the inner sheath frame 50 (the full extent of element 50 is seen in Fig. 1b, not including a handle), the Examiner should indicate that the claimed finger grip feature is patentable over Muller '240 or that element 50 is not the equivalent of the claimed main body. As Applicant discusses further below, considering element 50 to be a main body is believed to be incorrect.



Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 5,807,240 to Muller (hereinafter Muller '240). For the following reasons the Examiner's rejection is traversed.

The present invention (Fig. 1 is reproduced below) is directed toward an urological resectoscope wherein the amount of non-insertable optics is minimized. In comparison with known resectoscopes of the prior art (evidenced by Figs. 1a and 1b of Muller '240), this is accomplished by omitting one of the accessible release latches that are placed on the outside surface of the known resectoscopes (see the buttons on either side of lead line 50 in Fig. 1 of Muller '240). As a result of the omission, in the present invention, the inner shaft 15 is directly connected to a main body 2 of the resectoscope and an outer shaft 16 is connected to the same main body via a connector element 17. In Muller '240 an outer sheath structure is attached to an inner sheath structure and inner sheath structure then attached to a frame body 22.



Regarding claim 1, the Examiner states that in Muller '240 the inner sheath

frame 50 should be considered the equivalent of applicant's claimed main body. This is instead of the frame 22 of Muller '240. The inner sheath frame 50 is not the same as a main body and Applicant has amended the claims to clearly distinguish these two items. Applicant states that the guide of the claimed slide carriage is "permanently and directly affixed" to the main body. In contrast the frame 22 of Muller '240 which guides the working element 12 is not "permanently" affixed to the inner sheath frame 50. Rather, as discussed before, because of the release latch for the inner sheath in Muller '240, the inner sheath frame 50 is easily detachable from the frame 22 of the Muller '240 device. Such affixation is not "permanent". For at least this reason, Muller '240 does not anticipate claim 1.

Claims 2, 4 and 5 depend directly or indirectly from claim 1 and are believed to be allowable at least for the reasons stated above.

Reconsideration and withdrawal of the rejection of claims 1, 2, 4 and 5 under 35 U.S.C. §102(b) as being anticipated by Muller '240 is respectfully requested.

Claims 3, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Muller '240 in view of U.S. 5,486,155 to Muller (hereinafter Muller '155). For the following reasons, the Examiner's rejection is traversed.

Claims 3, 6 and 7 depend either directly or indirectly from claim 1. The proposed combination fails to cure the deficiencies in Muller '240 with regard to claim 1, as described above. Muller '155 describes a very similar endoscope as Muller '240, but for an inner shaft structure that includes a bearing assembly. However, Muller '155 also does not teach or suggest a main body to which a guide is directly and permanently affixed and an outer connector element also connected to that main body. The Examiner refers to an element within Fig. 3A of Muller '155 as the main

body. However, by referring to Fig. 2 of Muller '155, one can see that the entire structure in Fig. 3A is detachable from the leftmost structure via latch assembly 72, thus in no way directly and permanently affixed. Because all of the features of independent claim 1, from which claims 3, 6 and 7 depend are not taught or suggested, reconsideration and withdrawal of the rejection of claims 3, 6 and 7 under 35 U.S.C. §103(a) is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SCH-15904.

Respectfully submitted,

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